

UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

One iPhone 11 Pro in a black case

Case No. MJ20-151

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

One iPhone 11 Pro in a black case, further described in Attachment A, attached hereto and incorporated herein.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
26 U.S.C. 5861	Unlawful Possession of Short-Barreled Rifles and Machine Gun

The application is based on these facts:  
See attached Affidavit of Lexie Widmer.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Special Agent Lexie Widmer, ATF

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
telephone (specify reliable electronic means).

Date: 04/02/2020



Judge's signature

City and state: Seattle, Washington

Brian A. Tsuchida, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT OF SPECIAL AGENT LEXIE WIDMER**

STATE OF WASHINGTON )  
) ss  
COUNTY OF KING )

I, Lexie Widmer, a Special Agent with the United States Department of Justice Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), having been duly sworn, state as follows:

**INTRODUCTION**

1. This Affidavit is submitted in support of an Application for a Search Warrant to search the following item, more fully described in Attachment A (attached hereto and incorporated herein), for the seizure of the items specified in Attachment B (attached hereto and incorporated herein):

SUBJECT DEVICE: One Apple iPhone 11 Pro in a black case which was seized from James Michael Linton's property at the Snohomish County Jail on March 10, 2020. The phone is currently stored in the ATF Seattle V Evidence vault.

The search of the SUBJECT DEVICE will be restricted as set forth in Attachment B.

**AFFIANT'S TRAINING AND EXPERIENCE**

I am a special agent (SA) duly sworn and employed by the U.S. Department of Justice Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). I am currently assigned to the Seattle V ATF Field Office, located within the Seattle, Washington, Field Division. I have been employed as a special agent since July 2017.

2. I am a graduate of Western Oregon University in Monmouth, Oregon, where I received a Bachelor of Science in Computer Science and a Bachelor of Science in Criminal Justice. I completed a twelve-week Criminal Investigator Training Program

1 (CITP) and a fifteen-week Special Agent Basic Training (SABT) at the ATF National  
2 Academy/Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia.

3 3. I am responsible for investigations involving specified unlawful activities,  
4 to include violent crimes involving firearms that occur in the Western District of  
5 Washington. I am also responsible for enforcing federal firearms and explosives laws and  
6 related statutes in the Western District of Washington. I received training on the proper  
7 investigative techniques for these violations, including the identification of firearms and  
8 location of the firearms' manufacture. I have actively participated in investigations of  
9 criminal activity, including but not limited to: crimes against property, narcotics-related  
10 crimes, and crimes involving the possession, use, theft, or transfer of firearms. During  
11 these investigations, I have also participated in the execution of search warrants and the  
12 seizure of evidence indicating the commission of criminal violations. As a law  
13 enforcement officer, I have testified under oath and affirmed to applications of search and  
14 arrest warrants.

15 **PURPOSE OF AFFIDAVIT**

16 4. This Affidavit is made in support of a search warrant for the SUBJECT  
17 DEVICE, a cell phone belonging to James Michael Linton, as further described in  
18 Attachment A.

19 5. I make this Affidavit, in part, based on personal knowledge derived from  
20 my participation in this investigation and, in part, based upon information gained from,  
21 but not limited to, the following sources: (1) investigation conducted by other law  
22 enforcement personnel, whose findings and observations have been reported to me either  
23 directly or indirectly; (2) statements of witnesses; (3) business and public records; and (4)  
24 law enforcement database inquiries.

25 6. Except as otherwise noted, the information set forth in this Affidavit has  
26 been provided to me by other law enforcement officers. Unless otherwise noted,  
27 whenever in this Affidavit I assert that a statement was made, the information was  
28 provided by another law enforcement officer (who may have had either direct or hearsay

1 knowledge of the statement) to whom I have spoken or whose report I have read and  
 2 reviewed. Such statements are among many statements made by others and are stated in  
 3 substance, unless otherwise indicated. Dates and times provided herein are approximate.

4 7. Furthermore, my experience as a special agent forms a basis for the  
 5 opinions and conclusions set forth below.

6 8. Because this Affidavit is offered for the limited purpose of establishing  
 7 probable cause in support of the application for a search warrant, it does not contain all of  
 8 the information that the government possesses relative to this investigation. I have set  
 9 forth only the facts that I believe are necessary to the determination of probable cause to  
 10 believe that the items to be searched contain evidence, fruits, and instrumentalities of the  
 11 crime of Unlawful Possession of a Machinegun and Unlawful Possession of a Short-  
 12 Barreled Rifle, in violation of Title 26, United States Code, Section 5861(d).

### 13 **APPLICABLE OFFENSES**

14 9. It is unlawful for any person “to receive or possess a firearm which is not  
 15 registered to him in the National Firearms Registration and Transfer Record”; “to  
 16 obliterate, remove, change, or alter the serial number or other identification of a firearm  
 17 required by this chapter”; “to receive or possess a firearm having the serial number or  
 18 other identification required by this chapter obliterated, removed, changed, or altered”; or  
 19 “to receive or possess a firearm which is not identified by a serial number as required by  
 20 this chapter.” 26 U.S.C. § 5861(d), (g), (h), and (i).

21 10. Additionally, it is unlawful for any person to transfer or possess a  
 22 machinegun, except under the authority of the United States, or where the machine gun  
 23 was lawfully possessed prior to May 19, 1986. 18 U.S.C. § 922(o). The manufacture of  
 24 new machineguns is also prohibited, except for transfer to governmental agencies. 27  
 25 C.F.R. 479.105(c).

26 11. Pursuant to the National Firearms Act (NFA), a firearm is defined as  
 27 including: “a rifle having a barrel or barrels of less than 16 inches in length”; “a weapon  
 28 made from a rifle if such weapon as modified has an overall length of less than 26 inches

1 or a barrel or barrels of less than 16 inches in length”; and “a machine gun.” 26 U.S.C. §  
2 5845(a)(3), (4), and (6).

3 12. A machinegun is defined as including “any weapon which shoots, is  
4 designed to shoot, or can be readily restored to shoot, automatically more than one shot,  
5 without manually reloading, by a single function of the trigger” and “the frame or  
6 receiver of such weapon.” 26 U.S.C. § 5845(b).

7 **INVESTIGATION AND PROBABLE CAUSE**

8 13. On March 8, 2020, Washington State Patrol (WSP) and Everett Police  
9 Department (EPD) personnel responded to a single vehicle collision at the 3400 block of  
10 eastbound SR 526, Everett, Washington.

11 14. Upon arrival, WSP Trooper Vanderwielen determined that the driver had  
12 left the location of the collision, and relayed that information to EPD Officer Freeman.  
13 Trooper Vanderwielen located a witness on scene, identified as R.W., who told him that  
14 the person he believed to have been the driver of the vehicle had asked him for a ride to  
15 the Jack in the Box at 11820 Evergreen Way. R.W. stated that after R.W. dropped the  
16 driver off, R.W. returned to the crash site to speak with law enforcement. R.W. had taken  
17 a picture of the driver’s clothing and sent it to Trooper Vanderwielen.

18 15. When Officer Freeman arrived on scene, he saw the vehicle was bearing  
19 Idaho temporary registration 5720320. He saw the registration on the rear of the vehicle  
20 listed James M. Linton as the registered owner. Officer Freeman asked his dispatch to  
21 perform a records check for that name.

22 16. Officer Freeman also saw the vehicle was off the road on an embankment  
23 and had severe damage. The rear passenger door and front passenger doors were open. In  
24 the back seat, he saw the muzzle of a firearm in plain view.

25 17. While attempting to identify the driver of the vehicle, due to the vehicle not  
26 returning in a computer records check, officers determined they would impound the  
27 vehicle because of the firearms inside, so they began an inventory search of the vehicle,  
28 prior to towing.

1           18. During the inventory, Officer Freeman located and recovered a loaded 12  
2 gauge shotgun out of the vehicle.

3           19. Also in the back seat of the vehicle, EPD Officer Gottas located a bag,  
4 which he recognized as a bag for carrying firearms. He found what he suspected to be a  
5 rifle with a grenade launcher attachment on the lower end of the barrel. He also saw  
6 another case outside of the vehicle. Officer Gottas opened this case and found two  
7 additional rifles.

8           20. The officers were then advised by dispatch that its records check showed  
9 that James M. Linton was a convicted felon. Officer Freeman compared the address on  
10 the driver's license return to the address on the temporary registration and saw they were  
11 the same.

12           21. The officers halted their search and placed the recovered firearms back in  
13 the vehicle.

14           22. At the same time, Trooper Vanderwielen went to the area of the Jack-in-  
15 the-Box to look for the driver of the vehicle. He found Linton, who matched the  
16 description provided by R.W., and detained him. Linton told Trooper Vanderwielen that  
17 he had swerved his truck and crashed. Trooper Vanderwielen relayed this information to  
18 Officer Freeman. Trooper Vanderwielen confirmed Linton's identity via driver's license  
19 photo. Officer Freeman then confirmed Linton was a convicted felon through Linton's  
20 National Crime Information Center (NCIC) criminal history.

21           23. At the time of his arrest, Linton had been carrying a backpack. Officer  
22 Freeman searched that backpack incident to arrest and located a Smith & Wesson .357  
23 magnum revolver loaded with eight rounds.

24           24. Officer Freeman took custody of Linton from Trooper Vanderwielen. When  
25 he told Linton he was under arrest for being a felon in possession of a firearm, Linton  
26 stated, "It was a rifle." Linton was transported and booked into the Snohomish County  
27 Jail.  
28

1           25. Trooper Vanderwielen provided Officer Freeman with a key fob for a Ram  
2 vehicle, which was later confirmed to be the key fob for the involved vehicle. Trooper  
3 Vanderwielen had located it in Linton's pocket.

4           26. Officer Gottas remained on scene with the involved vehicle, pending a  
5 search warrant. The vehicle was transported to the Everett Police South Precinct, where it  
6 was held until a search warrant could be approved.

7           27. On the same day, Officer Gottas obtained a Snohomish County District  
8 Court search warrant for the involved vehicle.

9           28. Officers executed the search warrant and found a total of nine firearms,  
10 along with numerous firearm magazines and a significant amount of ammunition inside  
11 the vehicle.

12           29. Two of the firearms were suspected short-barreled rifles with flare  
13 launchers attached, and another two were also suspected short-barreled rifles. None of  
14 these firearms had serial numbers, and during a function check were determined to be  
15 fully automatic. Officers also found a Glock pistol that had been converted into a  
16 suspected short-barreled rifle.

17           30. Detective Coleman, a member of the WSP Bomb Squad who had been  
18 asked to assist with the warrant execution because of the possible grenade launcher in the  
19 vehicle, believed the aforementioned firearms to be items controlled under the National  
20 Firearms Act and notified ATF.

21           31. The other four firearms were a Glock handgun and three shotguns.

22           32. On March 9 and March 10, 2020, I went to the Everett Police Property  
23 Room and viewed evidence related to this case. I examined the five firearms that were  
24 potentially regulated by the National Firearms Act. EPD had designated these items as  
25 evidence numbers 4, 5, 6, 9, and 10.

26           33. I examined and measured Item #4. I saw Item #4 was a non-serialized rifle  
27 with a barrel length of not more than 5 5/8 inches. The firearm field-tested as a fully-  
28



1 automatic firearm (machinegun). I saw the selector switch appeared to have three  
2 positions – safe, semi-automatic, and fully-automatic.

3 34. I examined and measured Item #5. I saw Item #5 was a non-serialized rifle  
4 with a barrel length of not more than 6 5/8 inches. The firearm field-tested as a fully-  
5 automatic firearm (machinegun). I saw the selector switch appeared to have three  
6 positions – safe, semi-automatic, and fully-automatic.

7 35. I examined and measured Item #6. I saw Item #6 was a Glock pistol that  
8 was converted into a rifle with a barrel length of not more than 6 3/4 inches.

9 36. I examined and measured Item #9. I saw Item #9 was a non-serialized rifle  
10 with a barrel length of not more than 8 1/2 inches. The firearm field-tested as a fully-  
11 automatic firearm (machinegun). I saw the selector switch appeared to have three  
12 positions – safe, semi-automatic, and fully-automatic. I saw this rifle had a flare/round  
13 launcher with markings “Use only U.S.C.G. approved flares, smoke, or gas rounds.”

14 37. I examined and measured Item #10. I saw Item #10 was a non-serialized  
15 rifle with a barrel length of not more than 9 3/8 inches. The firearm field-tested as a  
16 fully-automatic firearm (machinegun). I saw the selector switch appeared to have three  
17 positions – safe, semi-automatic, and fully-automatic. I saw this rifle had a flare/round  
18 launcher with markings “Use only U.S.C.G. approved flares, smoke, or gas rounds.”

19 38. As of March 8, 2020, James Michael Linton had been convicted of  
20 Vehicular Assault, King County Superior Court cause number 08-1-01301-1 SEA, on or  
21 about October 27, 2008. The State of Washington defines this offense as a felony.  
22 Accordingly, Washington law prohibits Linton from possessing a firearm.

23 39. On March 10, 2020, I went to the Snohomish County Jail and met with  
24 Sergeant Ball. At that time, Linton was still in custody due to his arrest on March 8,  
25 2020. Sgt. Ball showed me an Apple iPhone 11 Pro, the SUBJECT DEVICE, that he said  
26 had been booked into Linton’s property with him. I seized the phone and took it into  
27 ATF custody.  
28



1           40. I photographed the phone and booked the phone into ATF evidence under  
2 case 787095-20-0024 as Item #001. It remains secured in the ATF Seattle V Evidence  
3 vault.

4           41. On March 19, 2020, I submitted a request for the ATF National Firearms  
5 Act Branch to query the National Firearms Registration and Transfer Record to determine  
6 whether any firearms that are subject to NFA regulation were registered to Linton. The  
7 next day, I received a response indicating that no firearms subject to NFA regulation  
8 were registered to Linton.

9                           **KNOWLEDGE FROM TRAINING AND EXPERIENCE**

10           42. Based on my training and experience in investigating firearms possession  
11 and trafficking offenses, I am aware that when individuals who are prohibited from  
12 legally possessing firearms seek to acquire or dispose of firearms, they typically do so  
13 through private sales. A common way in which these types of private firearm sales, also  
14 referred to as “street sales,” are transacted is via electronic communications such as text  
15 message, email, and/or telephone calls. I know that cell phones are frequently used to  
16 arrange such transactions because of the flexibility and mobility they offer. I am further  
17 aware that when individuals are offering items of value for sale, such as firearms, it is  
18 common for them to take a photograph of the item and send it via text message or email  
19 to an interested party for their review, or to take a photograph of it to post/advertise it via  
20 social media or the internet. During investigations of unlawful firearms sales, I have  
21 found it to be common for buyers’ and sellers’ cell phones to contain photographs of the  
22 firearms that were bought or sold.

23           43. I am aware that when individuals who are prohibited from legally  
24 possessing firearms seek to acquire firearms, they can also do so by manufacturing the  
25 firearms themselves. Homemade firearms are typically non-serialized and are difficult to  
26 trace, which may add to their appeal to persons who intend to possess them unlawfully.

27           44. Based on my experience, I know that materials, tools, and parts for  
28 manufacturing firearms are available over the internet. I am aware that firearm lower

1 receivers, which are approximately 80% completed and are not considered firearms under  
2 federal law, are available for purchase via the internet. As these lower receivers are not  
3 considered firearms, they are not subject to the same sales restrictions (background  
4 check, transfer via Federal Firearms Licensee, etc.) as completed firearms. There are  
5 numerous internet retailers from whom an internet user can purchase 80% lower receivers  
6 to be shipped to the user's address.

7       45. Other items necessary for firearms manufacturing such as upper receivers,  
8 barrels, springs, and trigger assemblies are also not subject to the same regulations as  
9 completed firearms and can also be purchased from internet retailers. While many  
10 firearms can be built or assembled with simple tools, internet retailers also offer specific  
11 tools to make the process easier and to allow for the construction of more complicated  
12 firearms. These tools include drill bits, drill presses, molds, jigs, and wrenches or sockets  
13 that fit particular firearms parts. For individuals interested in completing more complex  
14 firearms or completing more firearms in a short amount of time, internet retailers offer  
15 specialized Computer Numerical Control (CNC) machines which automate portions of  
16 the firearms manufacturing process. A user can create or download electronic  
17 instructions for the machine and use it to cut metal or plastic into very specific shapes  
18 with small tolerances. There are internet retailers that offer small CNC type machines  
19 specifically designed for home firearm manufacturing.

20       46. Based on my experience I also know that persons who manufacture their  
21 own firearms rarely design a new type of firearm from scratch. Typically, the person will  
22 start with kits or plans to manufacture a firearm similar to a model available on the  
23 commercial market. I am aware that plans and instructions can be readily located and  
24 viewed via the internet. I am also aware that internet video sites such as youtube.com  
25 contain numerous videos of step-by-step instructions as to how to manufacture certain  
26 firearms.

27       47. Based on my training and experience, I know that data from internet  
28 websites may be retained on the cell phone used to access the website. When properly

1 examined, this data may provide a record of interactions or transactions conducted via the  
2 website. In particular, cell phones may retain data regarding when a particular website  
3 was visited, various pages or parts of a website that were examined, and transactions that  
4 were conducted on the website, as well as internet searches generally. This information  
5 may provide relevant insight into the device user's state of mind as it relates to the  
6 offense under investigation. For example, information within the device may indicate the  
7 owner's motive and intent to commit a crime (e.g., internet searches indicating criminal  
8 planning).

9 48. Based on my training and experience, the data maintained in a cellular  
10 telephone may include evidence of a crime or crimes. This includes the following:

11 a. The assigned number to the cellular telephone (known as the mobile  
12 directory number or MDN), and the identifying telephone serial number  
13 (Electronic Serial Number, or ESN), (Mobile Identification Number, or MIN),  
14 (International Mobile Subscriber Identity, or IMSI), or (International Mobile  
15 Equipment Identity, or IMEI) are important evidence because they reveal the  
16 service provider, allow us to obtain subscriber information, and uniquely identify  
17 the telephone. This information can be used to obtain toll records and to identify  
18 contacts by this telephone with other cellular telephones used by other subjects.

19 b. The stored list of recent received calls and sent calls is important  
20 evidence. It identifies telephones recently in contact with the telephone user. This  
21 is valuable information because it will identify telephones used by other  
22 individuals who are part of illegal firearms transactions, and it confirms the date  
23 and time of contacts. This information also is helpful (and thus is evidence)  
24 because it leads to friends and associates of the user who can identify the user,  
25 help locate the user, and provide information about the user. Identifying a  
26 defendant's law-abiding friends is often just as useful as identifying his criminal  
27 associates.  
28

1           c.       Stored text messages are important evidence, similar to stored  
2 numbers. Agents can identify both criminal associates, and friends of the user  
3 who likely have helpful information about the user, his location, and his activities.

4           d.       Photographs and videos on a cellular telephone are evidence because  
5 they help identify the user, either through his or her own picture, or through  
6 pictures or videos of friends, family, and associates that can identify the user. As  
7 noted above, it is also likely that photographs or videos of contraband firearms,  
8 firearms accessories, and/or ammunition are on the subject phone.

9           e.       Stored contacts records are important evidence because they show  
10 the user's close associates and family members, and they contain names and  
11 nicknames connected to phone numbers that can be used to identify suspects

12           f.       Many wireless communication devices including cellular telephones  
13 such as iPhones, Android phones, and other "smart phones," as well as tablet  
14 devices such as Apple iPads, may also be used to access and download  
15 information from the Internet and communicate with other devices via a variety of  
16 communication channels. These additional communication channels include  
17 traditional cellular networks, voice over internet protocol, video conferencing  
18 (such as FaceTime and Skype), and a wide variety of messaging applications (such  
19 as SnapChat, What'sApp, Signal, Telegram, Viber and iMessage).

20           g.       I know based on my training and experience that there are hundreds  
21 of different messaging applications available for popular cellular telephones, and  
22 that the capabilities of these applications vary widely for each application. Some  
23 applications include end-to-end encryption that may prevent law enforcement  
24 from deciphering the communications without access to the device and the ability  
25 to "unlock" the device through discovery of the user's password or other  
26 authentication key. Other communication applications transmit communications  
27 unencrypted over centralized servers maintained by the service provider and these  
28 communications may be obtained from the service provider using appropriate

1 legal process. Other applications facilitate multiple forms of communication  
2 including text, voice, and video conferencing. I know based on my training and  
3 experience that obtaining a list of all the applications present on a handheld mobile  
4 computing device can provide valuable leads in an investigation. By determining  
5 what applications are present on a device, an investigator may conduct follow-up  
6 investigation including obtaining subscriber records and logs to determine whether  
7 the device owner or operator has used each particular messaging application. This  
8 information may be used to support additional search warrants or other legal  
9 process to capture those communications and discover valuable evidence. With  
10 regard to drug trafficking investigations, this information can establish a  
11 connection to other co-conspirators and customers.

12 h. Wireless communication devices may also contain geolocation  
13 information indicating where the device was at particular times. Many of these  
14 devices track and store GPS and cell-site location data to provide enhanced  
15 location based services, and serve location-targeted advertising, search results, and  
16 other content. Numerous applications available for wireless communication  
17 devices collect and store location data. For example, when location services are  
18 enabled on a handheld mobile device, many photo applications will embed  
19 location data with each photograph taken and stored on the device. Mapping  
20 applications such as Google Maps may store location data including lists of  
21 locations the user has entered into the application. Location information may  
22 constitute evidence of the crimes under investigation because that information may  
23 reveal whether a suspect was at or near the scene of a crime at any given moment,  
24 and may also reveal evidence related to the identity of the user of the device. This  
25 location information is also helpful because, for example, it can show locations  
26 where drugs or firearms may be stored.

27 i. Wireless communication devices may also contain internet browsing  
28 history. Most modern cellular devices have the ability to browse the internet.

1 Therefore, browsing history may be stored on any wireless communication device  
2 seized during the search. Based on my training and experience, I know that  
3 internet browsing history may include valuable evidence regarding the identity of  
4 the user of the device. This evidence may include online user names, account  
5 numbers, e-mail accounts and bank accounts, as well as other online services.  
6 Internet browsing history may also reveal important evidence about a person's  
7 location and search history.

8 **MANNER OF EXECUTION**

9 49. Because this warrant seeks only permission to examine a device already in  
10 law enforcement's possession, the execution of this warrant does not involve the physical  
11 intrusion onto a premises. Consequently, I submit there is reasonable cause for the Court  
12 to authorize execution of the warrant at any time in the day or night.

13 **CONCLUSION**

14 50. Based on the aforementioned facts, I believe that the SUBJECT DEVICE  
15 will contain evidence of Linton's unlawful possession of unregistered firearms  
16 (machineguns and short-barreled rifles) that are regulated under the National Firearms  
17 Act.

18  
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21 Lexie Widmer, Special Agent  
22 Bureau of Alcohol, Tobacco, Firearms,  
23 and Explosives  
24  
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1 The above-named agent provided a sworn statement to the truth of the foregoing  
2 affidavit by telephone on the 2 day of April, 2020.

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7 Brian A. Tsuchida  
8 United States Magistrate Judge  
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**ATTACHMENT A**  
**PROPERTY TO BE SEARCHED**

The property to be searched is the following cellular telephone currently in the possession of the Bureau of Alcohol, Tobacco, Firearms, and Explosives:

SUBJECT DEVICE: One Apple iPhone 11 Pro in a black case, which was seized from James Michael Linton's property at the Snohomish County Jail on March 10, 2020. The phone is currently stored in the ATF Seattle V Evidence vault and identified as ATF evidence under case 787095-20-0024, Item #001. It is depicted in the photograph below.



**ATTACHMENT B**  
**ITEMS TO BE SEARCHED FOR AND SEIZED**

This warrant authorizes the search for the following items in Target Devices:

Evidence, fruits, and/or instrumentalities of the commission of the following crimes: Unlawful Possession of a Short-Barreled Rifle; Unlawful Possession of a Machinegun; and Unlawful Possession of Firearms Not Identified by a Serial Number, in violation of 26 U.S.C. § 5861, specifically:

- i. Assigned number and identifying telephone serial number (ESN, MIN, IMSI, or IMEI);
- ii. Stored list of recent received, sent, or missed calls;
- iii. Stored contact information;
- iv. Photographs and/or video related to the aforementioned crimes of investigation, or that may show the user of the phone and/or co-conspirators, including any metadata associated with these photographs and videos (such as date and time photograph was taken or obtained, and GPS data); such photographs and videos may include, but are not limited to, photographs and videos of firearms, ammunition, gun boxes, other firearm accessories, or other items relating to firearms (e.g., targets); photographs and videos of individuals displaying firearms or any of the above-described items; and photographs and videos that may show the user of the phone and/or co-conspirators; and
- v. Stored text messages (including any attached digital files associated therewith) related to the aforementioned crimes of investigation, including Apple iMessages, Blackberry Messenger messages or other similar messaging services where the data is stored on the telephone.
- vi. Other documents, records, communications, images, video or audio recordings, or other data in whatever form, which are or contain evidence of or pertain to the above-listed crime, including: location data, cell tower usage, GPS satellite data, and GPS coordinates for routes and destination queries, internet searches and browsing history, and similar material which is or pertains to evidence of the above-listed crime.
- vii. Other data, documents, records, images, videos, or other items in whatever form, tending to identify the subscriber of the device, the user of the device, and/or the possessor of the device, and/or dominion and control of the device.

The search warrant authorizes imaging or otherwise copying all data contained on the SUBJECT DEVICE. The search warrant also authorizes reasonable efforts to overcome any passcode protection of the SUBJECT DEVICE.